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3 UNITED STATES DISTRICT COURT

4 Northern District of California

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6 SHANNON O. MURPHY

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Plaintiff(s),

8

v.

9

WORKER'S COMPENSATION APPEALS  
BOARD

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Defendant(s).

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No. C 09-03114 MEJ

12

SECOND ORDER DIRECTING  
PLAINTIFF TO FILE  
CONSENT/DECLINATION FORM

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On July 23, 2009, the Court ordered Plaintiff Shannon O. Murphy to file a consent to Magistrate Judge James' jurisdiction or a request for reassignment to a United States District Judge for trial. Although the Court set a filing deadline of August 13, 2009, Plaintiff has yet to respond. This civil case was randomly assigned to Magistrate Judge James for all purposes including trial. In accordance with Title 28, U.S.C. § 636(c), the magistrate judges of this district court are designated to conduct any and all proceedings in a civil case, including trial and entry of final judgment, upon the consent of the parties. An appeal from a judgment entered by Magistrate Judge James may be taken directly to the United States Court of Appeals for the Ninth Circuit in the same manner as an appeal from any other judgment of a district court.

14

You have the right to have your case assigned to a United States District Judge for trial and disposition. Accordingly, Plaintiff shall inform the Court, by way of the enclosed form, whether Plaintiff consents to Magistrate Judge James' jurisdiction or requests reassignment to a United States District Judge for trial. The consent/declination form shall be filed by than September 3, 2009.

15

**IT IS SO ORDERED.**

16

Dated: August 18, 2009

17

  
Maria-Elena James  
Chief United States Magistrate Judge

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2 IN THE UNITED STATES DISTRICT COURT  
3 FOR THE NORTHERN DISTRICT OF CALIFORNIA

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5 SHANNON O. MURPHY No. C 09-03114 MEJ

6 Plaintiff(s),

7 vs.

8 WORKER'S COMPENSATION APPEALS  
BOARD

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Defendant(s).

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12 **CONSENT TO PROCEED BEFORE A UNITED STATES MAGISTRATE JUDGE**

13 In accordance with the provisions of 18 U.S.C. § 636(c), the undersigned party hereby  
14 consents to have a United States Magistrate Judge conduct any and all further proceedings in this  
15 case, including trial, and order the entry of final judgment, and voluntarily waives the right to  
16 proceed before a United States District Judge.

17

18 Dated: \_\_\_\_\_

Signed by: \_\_\_\_\_

19

Counsel for: \_\_\_\_\_

20

21 **REQUEST FOR REASSIGNMENT TO A UNITED STATES DISTRICT JUDGE**

22 The undersigned party hereby declines to consent to the assignment of this case to a United  
23 States Magistrate Judge for trial and disposition, and hereby requests the reassignment of this case to  
24 a United States District Judge.

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26 Dated: \_\_\_\_\_

Signed by: \_\_\_\_\_

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Counsel for: \_\_\_\_\_

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UNITED STATES DISTRICT COURT  
FOR THE  
NORTHERN DISTRICT OF CALIFORNIA

SHANNON O. MURPHY  
Plaintiff,

Case Number: 09-03114 MEJ

**CERTIFICATE OF SERVICE**

v.

WORKER'S COMPENSATION APPEALS  
BOARD

Defendant.

I, the undersigned, hereby certify that I am an employee in the Office of the Clerk, U.S. District Court, Northern District of California.

That on August 18, 2009, I SERVED a true and correct copy(ies) of the attached, by placing said copy(ies) in a postage paid envelope addressed to the person(s) hereinafter listed, by depositing said envelope in the U.S. Mail, or by placing said copy(ies) into an inter-office delivery receptacle located in the Clerk's office.

Shannon O. Murphy  
General Delivery  
Richmond, CA 94530

Shannon O. Murphy  
General Delivery  
Richmond, CA 94801

Shannon O. Murphy  
General Delivery  
Richmond, CA 94805

Dated: August 18, 2009

Richard W. Wieking, Clerk  
By: Brenda Tolbert, Deputy